

such nature and degree that her disregard of it constituted a gross deviation from the standard of conduct that a reasonable person would observe in the situation. An example would be a caretaker, who is aware from nursing notes and physician orders that a resident's dressings for bed sores must be changed to prevent infection, seeing the resident and choosing not to change the dressings.

Any type of evidence, circumstantial or physical, is key to clearing hurdles of an abuse or neglect case. Some injuries can be explained outside of the realm of criminal conduct. Bruises or marks may be the result of a staff member restraining a resident from running into danger, or the result of staff restraining residents from hurting themselves or others. A resident may have been a high risk for developing pressure ulcers because he was restricted to a wheelchair or bed for appropriate safety reasons. To overcome issues with evidence, law enforcement can take

photographs at the scene, use rulers to measure bed sores or pressure ulcers and take photographs of the measurement.

Cohron said he has seen a rise in expert witnesses testifying for the defense to explain facts and circumstances of cases. The prosecution can also use experts to strengthen a case. An expert can offer opinions on injuries, such as bruise patterns, or bed sores, or bone fractures, and causes of injuries. An expert can also identify lapses in care.

By keeping an eye on ways to overcome the myriad of obstacles, law enforcement can push toward successful prosecution of elder abuse or neglect cases, with the reason for justice on the other side of the forest.

"It's always about the victim," Wilbers said. ■

▼ The office of the attorney general publishes many pamphlets, booklets and other documents to raise awareness about elder abuse and how to report it.

## Resources

### OFFICE OF THE ATTORNEY GENERAL

#### Medicaid Fraud and Abuse Control Unit

(502) 696-5405

<http://ag.ky.gov/protecting.htm>

### CABINET FOR HEALTH AND FAMILY SERVICES

#### Adult Protection Services

(502) 564-7043

<http://chfs.ky.gov/dcbs/dpp/Adult+Safety+Branch.htm>

#### Elder Abuse Awareness

<http://chfs.ky.gov/dcbs/dpp/ea/>

### CABINET FOR HEALTH AND FAMILY SERVICES

#### Office of the Inspector General

(502) 564-2888

<http://chfs.ky.gov/os/oig/default.htm>

### LOUISVILLE METRO POLICE DEPARTMENT

#### Crimes Against Seniors Unit

(502) 574-2278

<http://www.louisvilleky.gov/MetroPolice/CrimesAgainstSeniors.htm>

### LEXINGTON DIVISION OF POLICE

#### Special Victims Section

(859) 258-3700

<http://www.lexingtonky.gov/index.aspx?page=106>

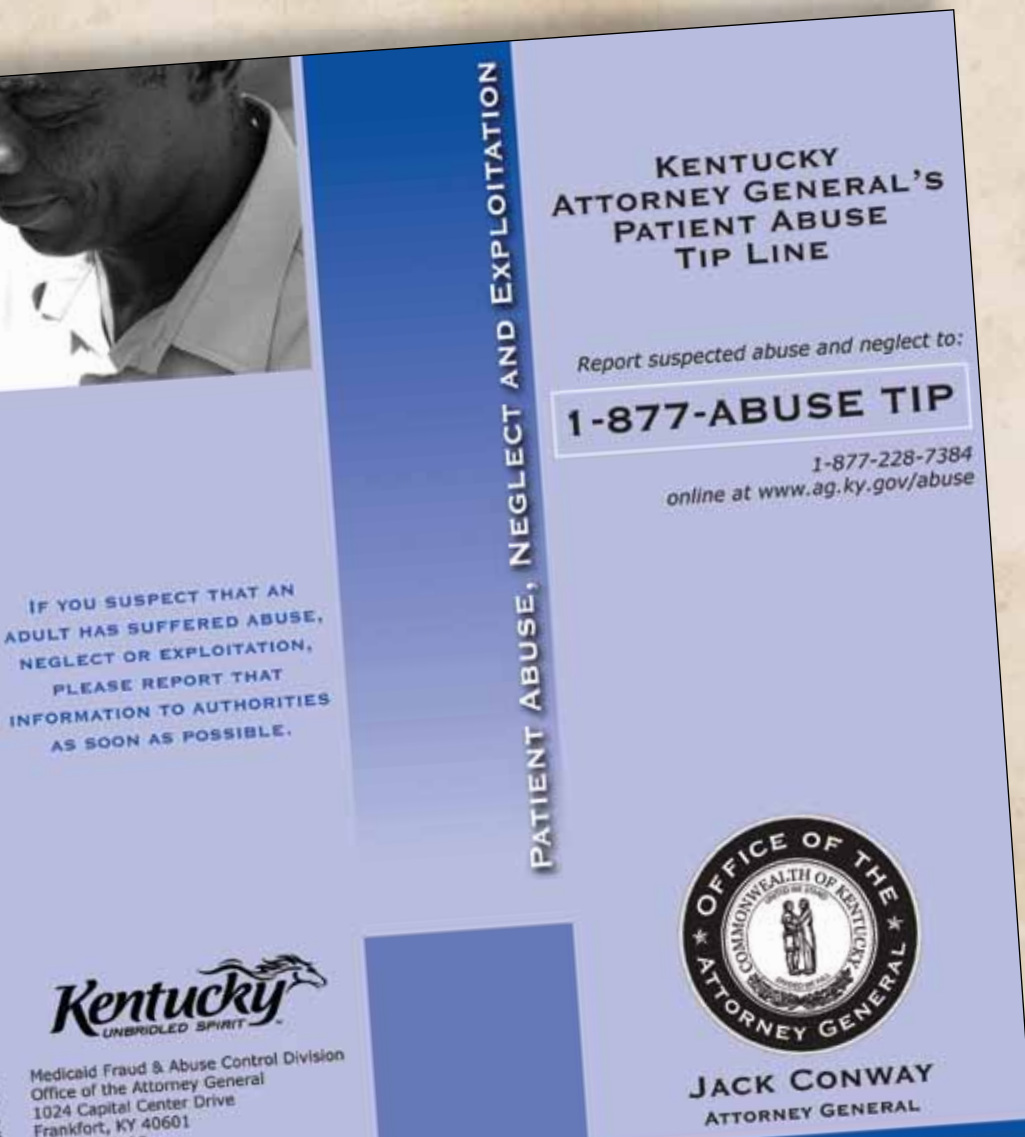
### NORTHERN KENTUCKY AREA DEVELOPMENT DISTRICT

#### Northern Kentucky Aging and Disability Resource Center

(859) 692-2480

(800) 766-2372

<http://www.nkadd.org/aging-a-disability-resource-center.html> ■



**KENTUCKY ATTORNEY GENERAL'S PATIENT ABUSE TIP LINE**

Report suspected abuse and neglect to:

**1-877-ABUSE TIP**

1-877-228-7384  
online at [www.ag.ky.gov/abuse](http://www.ag.ky.gov/abuse)

**PATIENT ABUSE, NEGLECT AND EXPLOITATION**

IF YOU SUSPECT THAT AN ADULT HAS SUFFERED ABUSE, NEGLECT OR EXPLOITATION, PLEASE REPORT THAT INFORMATION TO AUTHORITIES AS SOON AS POSSIBLE.

**Kentucky**  
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Medicaid Fraud & Abuse Control Division  
Office of the Attorney General  
1024 Capital Center Drive  
Frankfort, KY 40601

**OFFICE OF THE ATTORNEY GENERAL**  
COMMONWEALTH OF KENTUCKY

**JACK CONWAY**  
ATTORNEY GENERAL